HISTORICAL SOCIETY OF PALM DESERT
ORAL HISTORY PROJECT

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Clark, Hank

Interviewed By

Patricia Young

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INTERVIEWEE: HENRY (HANK) CLARK

INTERVIEWER: Patricia Young

SUBJECT:

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TRANSCRIBER: Linda A. Jantzen

PY: This is an interview with Henry Clark for the Historical Society of Palm Desert. My name is Patricia Young, and I will be doing the interviewing. The interview was taken place at St. Margaret's Church on Highway 74 in Haystack, in Palm Desert. The date is January 4th, Friday, 1980, and the time is nine-fifteen.

Now, let's start by finding out when you first came to Palm Desert and why you came here.

HC: Well, I'd been in the chemical business for forty years back east. From Boston to Cleveland we had many plants throughout the country, and I got to know California when I retired in 1970 and we moved out here because we'd liked California. And we experienced the desert the summer before and enjoyed it even in the heat, so we came out to the desert, bought a house, and been here

ever since. I've never dreaded a minute of being here. We retired mainly here because it was a nice, quiet little town. We thought it would be a comfortable place to retire and take life easy. But shortly after we came here, we became involved in the first growth of the Living Desert Association, Reserve now. And in a year had started construction of the first two buildings in the reserve, which has now grown to a rather large and successful organization with some twenty-five thousand to thirty thousand people going through each year. They have over a thousand acres. When I came here there were approximately seventy-five acres. So the growth has been substantial, and it has been done largely through the efforts of Phil Boyd, who is now Chairman of the Board of the Living Desert Reserve. And through his vision, when he started it in 1963, it came to pass. I don't think you need any more on that, do you?

PY: What has your involvement with the Living Desert Reserve been?

HC: I was asked to be a member of the board, and then became vice president in charge of operations, responsible for overseeing the design construction of the buildings, and have remained since as a member of the board. And

am still a member of the board.

PY: Why do you think the Desert Reserve is important?

HC: It was started, and this was the premise on which we felt it was important, with the growth that was coming into the desert and the fact that buildings were going up over areas of the desert and was becoming to be a difficult to find and understand what the desert was all about. So we thought first and foremost it should be an interpretive center where people like ourselves could come and know there's a lot more than just sand around. And then to preserve a large enough area so people could enjoy it, study it on the reserve property. Then when they drive out through the deserts of Arizona and California, they see more than just a vast expanse of sand and apparently nothing. And that's why we picked the name of the Living Desert, to show that it really is a living entity and constantly growing and changing. So we were dedicated to keep the reserve except for the small acreage where we have an interpretive center and different gardens of the, showing the types of desert plant life in the high desert, the low desert, the Arizona desert, and eventually deserts around the world. The whole, that will only take about seventy acres, and

the balance of the over eleven hundred acres will be preserved as it was when we first came here, and as the floods and winds may change it. But no man changes will be made in it. Therefore, for generations to come they can see how the desert was back many hundreds of years before, be no buildings on it, nothing but trails so the people can walk through it. So it is important to let people know what the desert was like back before it was wall-to-wall housing.

PY: You say that it's grown from, started seventy acres to eleven hundred, where has the property come from?

HC: Property basically is leased from the Coachella Valley County Water District. They had had it as a flood plain. But there was no assurance that it would always be a flood plain. So it's basically leased from the Coachella Valley County Water District. Other acreage has been purchased from the Bureau of Land Management. They're all contiguous acres and go up to the top of what is now Eisenhower Mountain, which is the mountain directly on the east side of our property, and which was an unnamed mountain until four years ago when we received permission from Mayme Eisenhower and from the different branches of the government, Park Service and others who were respon-

sible for naming a mountain, to name it after our President Ike who spent winters at the El Dorado Country Club in a house at the base of Eisenhower Mountain.

PY: Very interesting.

HC: So I think that explains where the land comes from and how it's held. It's held in a lease that goes to two thousand and forty-five with option to renew. So it will go on forever.

✓ PY: Good good Have you in the time that you've actually lived here noticed a great deal of growth? Is that what triggered your interest in the reserve?

HC: Well, shortly after we came here, there was a modest building boom, and some two and even four-story buildings were approved by the County of Riverside. And at that time, many people in the town began to feel that if we were going to protect our views and our environment and the quality of housing, we should incorporate. Actually, a year after I came, there was an attempt to incorporate, but it was beaten down on the usual theme that if you have your own city, your taxes are going to go up. And keep it in the county. And then in seventy-two and seventy-three, these unfortunate developments began to come in with wall-to-wall roofing really, with

county approval. And the county, county decisions are made by people outside of the area in Riverside and they don't understand the fragile situation in the desert, and how important the views are to the people who live here. So the protection of the mountains, slopes, the views and the desert floor became to be of enough importance that another attempt was made to incorporate in 1973. Bob Herbert was probably the leader of that. And started the campaign in the fall of seventy-two, leading up to a climax of the vote in November of 1973. I had not been too much involved except that I was concerned about the kind of growth that was being permitted, kind of building that was being permitted. And in August, just before the deadline, I was in Hawaii and received a call from several people who asked me if I would run for Council. And I did. And in November in the election incorporation was passed overwhelmingly. And five members out of twenty-two candidates for the Council were elected. And fortunately, or unfortunately, I received the most votes. And it is customary for the one who gets the most votes to be elected mayor. So we had the incorporation took place three weeks after the election, on November 26. And the Council felt it would be

appropriate to incorporate, to go through the ceremony of incorporation in a church. And we asked the Community Church if we could have the incorporation ceremonies in the church, and they were delighted to have us there. And we were honored to be able to have it there. And the church was full. There must have been five hundred people there through the ceremonies. Of course, we had no city manager, and we had no organization at all. So we were meeting in my home. (cough) Daily making the necessary decisions. How to finance the city, interviewing candidates for city manager, hired the first secretary of the city, Mary Painter, even as soon as the election was final, even though we had no money to pay her. But we did need the services of a secretary, obviously. We had no city hall, and Jim Chapman of BPS, which is a, they had a small office at the corner of El Paseo and Highway 74, and he rented it to us for a dollar a year. It was very small. We hired the city manager within weeks after we were incorporated, temporary city manager. And his name was Asmus. And he did an excellent job of training us in how to begin a city. (cough) Excuse me. And getting the necessary legal work all done and completed. And then by March

we were effectively a growing, a going city. (phone rings) We started to look for another building. Made studies as to how much floor space we'd need, what type of building we'd need. Looked at such places as the old Desert Southwest Gallery, which is a beautiful building at the eastern edge of town on Highway 111. But felt that basically that the condition of the building and the expense of renovating it and putting in was more than the new city could justify with the citizens looking for action in flood control and many benefits that were needed, a general plan and so on. And that if we spent three quarters of a million or more on a building before the citizens were even convinced that cityhood was a good thing, it would have been a very wrong decision. And as the years go by, I feel it was a good decision not to go into bricks and mortar while we were trying to build a city. Because obviously many people felt that once we were incorporated they'd have an instant city, that everything would be running full boar from the day we were sworn in. So there was a lot of education of the people in the town. People on the north side thought that they were the forgotten side of the town. The developers felt that we were tightening

the restrictions to an unbearable degree. The real estate people felt that we were making it difficult for them to find property to sell that could be built on, houses to sell, condominiums, all our restrictions. There was a great deal of feeling as they got to know how the city government was working. A great deal of feeling that either we weren't doing enough or we were doing too much. And we were singling out certain areas for heavy restrictions. So for the first two years, this was probably the major problem to convince the people that they had elected a good council, that the council had appointed competent city managers and staff, and that we were successful in that largely because we moved rapidly. The City of Rancho Mirage had been incorporated six months before us, and at the end of a year we had a general plan and it was a year and a half longer before they had one. We had building restrictions, and it was two years before they had the same type of government that we had. And this was one of the problems in the first year that they ran a city with a minimum staff. And the people couldn't see that they weren't doing the kind of construction things we were doing, and felt we were too expensive, which made it interesting.

Then when we developed the general plan, it was a group that wanted to have it torn down and rebuilt the general plan. This was about a year and a half after we incorporated. And the council, after many public hearings, had passed this general plan. And the council passed it through the planning commission and then final approval by the council. Then a group of citizens brought it, started a lawsuit on it, to have it withdrawn. You can turn this off.

Where was I?

PY: You were talking about the general plan.

HC: The lawsuit eventually wound up as a referendum with a vote to be held in June. (cough) Probably in March and April if the vote had been held then the referendum would have succeeded, the general plan would have been cancelled, and we'd had to go through the same procedure all over again, and wound up with the same general plan. But some of us working on the council were able to educate the people what the general plan would do for the city, protect them from unfortunate developments, raise the quality of it, lower the density of building, and in July the, yes, it was July when the vote was held. The

referendum and the city council was upheld three to one. The people who had brought the suit and the referendum to the city had also applied for a court ruling that they would be reimbursed for their expenses. Judge Mathaney wisely withheld his ruling on that until after the election. And when the election was so overwhelming in favor of retaining the general plan, he held that the people who had brought suit would have to pay their own expenses. I think this cleared the air because up until then there had been threats of suits, some suits brought by anybody who had a desire to change something the council had done. After the ruling that whoever brought the suit would have to pay their own expenses, I think everybody in town got the message that irresponsible actions would not be supported by the court. And from that time on, there was a general acceptance by practically everybody in town, overwhelming acceptance of the fact they could come to the council, explain their positions, and the council would act in whatever they felt was the best, to give the best results for the town, and people would accept it. They might be unhappy, but they would recognize that there's two sides to every question. From that time on, the people had accepted the council,

were beginning to be proud of the way the city was being run as they saw how Rancho Mirage, particularly, was involved in constant internal disputes and had not progressed with the real meat of doing business and protecting the town. They didn't have a general plan, they didn't have building codes, and so on and so forth. So from that time on, Palm Desert has run quite a placid course. Growth has been greater than most of us hoped it would be. But short of putting in the kind of quotas on building in a year as was done up in Petaluma, north of San Francisco, we felt that our best hope was to guide the quality of the building. And recognize that if people want to live here and people want to sell their property for people coming in, they have the right to do that. And just protect the present people in the future by good building. So I think that was the big success of incorporation. The second thing we did was to form a redevelopment agency supported by incremental tax money in an area which essentially is a commercial area of Palm Desert. Now a redevelopment agency is not a federally sponsored agency. The money comes from present tax structure; as a piece of land is built on the county continues to get the real estate tax on the

land. But the building that goes on it, the tax money goes to the city, can be spent only in this redevelopment area. To improve it, to make adequate parking, attractive parking, to underground light poles, and to improve the drainage. So that it doesn't, it does not cost the citizens of the town a dime. It is money they would be paying to the county. It is not diverted from the county to the city. And used in the city, which is where it should be used. So it's been an extremely effective method. And we're just now beginning to see the results of it as our parking is worked on, new parking areas are purchased, and we have lived up to the promise we made that there would not be a city tax on real estate. And there is not. So in effect it hasn't cost the citizens a penny to have an operating city. Their taxes are identical to what they would have been under the county. And that was a promise we made and a promise we have kept. So that's the basic background of the start of Palm Desert. And I think everyone who had anything to do with it can take pride in working so fast and coming up with such an excellent operating city. That's the story.

PY: Just a few questions. Is there any similarity to the

building codes as designed which Clifford Henderson first had in regards to the development, the early development, of Palm Desert? And that which the city later adopted after incorporation.

HC: In many cases the original area covered by Cliff Henderson's development is now known as the Palm Desert Property Owners Association. This had restrictions on size of lots, the amount of feet between a home and the property line, front, back and side. That's in all building codes. In some cases, those restrictions are identical in that particular area to the one in our general plan and our building codes. In some other areas where the, what you call the Henderson plan, was less restrictive than the new general plan. And the basic difference has been that the city general plan covers a much, the entire area of the incorporated limits of Palm Desert and in addition the area north of the wash which is in our sphere of influence. These are all completely detailed that tells a developer, a buyer of property, just what he can do with the property before he buys it so he doesn't buy it and then find, well, the restrictions were greater or less than he anticipated. So his investment is protected and the town is protected

by the kind of building that goes in. That's the basic reason for a general plan to look into the future and say what this area will look like ten, fifteen, fifty years from now. And not have the kind of development that goes on around Los Angeles and the Valley around Los Angeles and places like that. The general plan is flexible in that it can be changed once a year after public hearings. And public hearings mean that no changes can be made in a quiet session of the council. They have to be aired completely in public with advertising in the papers to alert the people of the fact that there is a possible change and let them come and express their feelings on it. And only after three meetings of the council at public hearings can final action be taken to approve a change or defeat it. So obviously we're not all wise in that we can say fifty years from now the plan we have is still perfect. Times change. Solar heating, which wouldn't have been permitted six years ago, can now be permitted by a change in our building code. That would be the roof top solar panels five, six years ago would have been considered disaster. We have to change it to accept them now for obvious reasons.

PY: The present city hall at Prickly Pear, was that, did that

occur at the time that you were mayor and on the council?

HC: No, we moved into that within six months after we incorporated. As I said, we didn't feel that the town was ready to go into an expensive brick and mortar campaign, to build a city hall or to buy an expensive building. We couldn't live in a two-room office, obviously, where when the city manager and I would share the same desk. If one of us sat down, the other one had to stand up. So that's when we moved to the Prickly Pear building as soon as, by March. We incorporated in December, and by March we had our manning tables established and the amount of square footage we'd need to support the city over the next five years, and went ahead and rented a building. It's now time to build a building in an area that's convenient and attractive. And the council is moving on that rapidly.

PY: What was the size of the population when the city was incorporated?

HC: It's difficult to tell. They spoke about seventy-five hundred people in town when I moved here in 1970. We tried to run all kinds of, we did run all kinds of studies to pinpoint the population. But because it's a

winter home for many people, there's no figure that you can say this positively is the population. However, the state had said that the population figures they had were eighty-five hundred in 1973. And that their allocation of tax money was based on that. And I say the allocation, the tax money, the sales tax, the gasoline tax, the liquor tax, which are collected by the state and then returned to the cities on the basis of what they figure the population is. They used a figure of two and a third times eighty-five hundred to come up with a fourteen thousand, two hundred population in 1973, which was probably excessive. I hear figures now that the population of fifteen thousand, but again today or then there's no way to tell what the population really is because of the transiency winter residents that come in. People who vote in another state or another city. People who pay taxes in another state. You can count the number of mail drops thatthe post office makes. None of these are very accurate. They're all estimates.

PY: Who were the original council members with you?

HC: Chuck Astin, Jim McPherson, Gene Vincent, Noel Brush, and Hank Clark. And we were elected. State law says that the first council are elected, serve from the date

of election to the second March election. So that the first council serve from November 1973 until March of 1976. So that would make it the third March election after the incorporation. Then every term expired and they were all up for re-election if they chose to be try to be re-elected. Chuck Astin and I elected not to run. Gene Vincent ran and was defeated and replaced by Alexis Newbrander. That left two vacancies. I think Roy Wilson was elected in 1976. And I should recall, but I don't, the fifth member. It will come to me.

PY: How about Sam? How about the mayor, Ed Mullens?

HC: Oh, Ed Mullens. That's right. Ed Mullens was the, elected at that time. And they're elected on different terms. The highest number of votes in that election was elected for a four-year term. Three highest were elected for four-year terms. The fourth highest for two-year term, and the fifth lowest for a one-year term. Since then Alexis Newbrander has been re-elected. And I believe Roy Wilson has been re-elected. And that would mean that in March Ed Mullens, Noel Brush and Roy . . .Ed Mullens and Noel Brush anyway come up for election or replacement.

PY: Was Ed Mullens the mayor after you?

HC: No, Noel Brush followed me as mayor for one term, one

year. And then Ed Mullens has been mayor since. The mayor is elected by the council, not by the people. You don't run for mayor. You run for council and then the council elects one of their members to be the mayor. During my term there was no election intervening between 1973 and 1976, so the question of a different mayor never came up officially.

PY: (laughter) They could sound like unofficially is in.

HC: So I think it's important to recognize that many of the problems from flood waters are in areas where the city has no authority to act. The waters that come into the city from the south and from the mountains, the responsibility for carrying them through the city and around the city is the responsibility of the Coachella County Water, Valley Water District. And much as Rancho Mirage, Palm Desert, or Indian Wells might want to use a different system for carrying the water through and diverting it, we couldn't do it if we had the money. It's entirely up to the County Water District. So that the best we can do is to try to keep the waters that are generated within the city itself, and they can be substantial as witnessed last July, keep them from doing damage and rely on the Water District to divert the waters that are

coming from outside the city. And I think they're doing a good job, but it's a massive job. And it's difficult to raise the tremendous sums of thirty million dollars required for something just to protect Palm Desert and Indian Wells. So that the city, as I mentioned earlier, through its redevelopment agency, is rechanneling the waters within the essentially commercial area. And will be building conduits for the water on the north-south streets that are water-bearing streets, namely, Highway 74 and Portola are the major north-south water-bearing streets that carry the water down to the white water channel. They will also have to have conduits established on the east-west bearing, or the west-east bearing streets such as Grapevine, which carries a tremendous amount of water and spills it over into some other north-south streets. And if they can carry it all over to Portola and make whatever method they choose, Portola large enough to carry the water. The major problems from water damage, except for the massive floods on the south of us, there should never be again water damage from water originating within the city limits.

PY: But the water which is coming then from the canyon.

HC: The water that comes down from Deep Canyon is the responsibility of the Water District. The water that comes in from up here above Silver Spur Mobile Home, Dead Indian Canyon, that, too, was the responsibility of the Water District to provide channels to get it over to the Whitewater Channel without destruction to the city. That again is, that alone, was a massive project, the water that comes down Dead Indian Canyon. In the July flood, that's where the damage occurred. The water that came down there and came down the Palm Channel to the, just to the west of 74, right out here. There was some feel that even these churches might have been damaged in that flood with the waters began to subside just before it broke through. Speaking of water and floods, one of the first things the council did was to qualify the city of Palm Desert for federal flood insurance so that anybody in Palm Desert for a hundred and twenty dollars that could cover themselves up to thirty-five thousand dollars in flood insurance. We incorporated in December, we had the federal flood insurance qualified by June. We sent brochures to every real estate man in town, every insurance broker in town, we publicized it in the newspapers, and I went on the

channel 10 to point out that it was now available for people. Two years later when the flood came, only five people had taken out flood insurance. And it was disaster for many of them. In the last flood there were still people who had been damaged in the seventy-six flood who hadn't taken out flood insurance even after the first time, and they were hit again and just as badly. So the city can take just so much to protect the townspeople. The townspeople have to do something for themselves. Many of them do.

TAPE 1, SIDE 2:

PY: What you wanted to say.

HC: That we've seen the so-called hundred year floods. Two of them were then in the space of three years. No one can predict whether we'll have another one for six months or sixty years. So this is why I said people have to protect themselves. Well, some ways are found to make sure that disasterous floods cannot destroy their homes. But I don't think there is such a way to do it. We live in a country where they have heavy rainstorms at some times, and there is no way to guarantee that man could build massive enough structures to divert the water, that

kind of water. We live in a harsh land and we have to accept it.

PY: You were talking, which is one of the things you were talking earlier about, when incorporation came about, that there was a feeling of difference sort of between the north side of 111 and the south side. How was harmony brought about, or was there really any problem there?

HC: I think it was just the same type of education that I mentioned in the first, took place in the first two or three years. The north side began to realize that the council did truly represent the entire town and not any one section. That their decisions were based totally on in an impartial manner and trying to do with available means the best for all sections of the town. And again I think it took not over two years when that feeling is practically eliminated. You don't hear about it anymore certainly. And I don't think it took more than two years to . . . really what we did was get the confidence of the people in the first two years, which seemed a major undertaking at the time. It seemed almost hopeless at the time. But just by constantly doing the best job we knew and the best public relations job to let people

know what we were doing is how we overcame all of that.

PY: Now as I understand it Palm Desert had tried to incorporate with Rancho Mirage or Indian Wells at various times. Were you around for those?

HC: No. No, I've heard about it. And I think that occurred back in the early sixties. And apparently there has been for years a feeling of insularity, provincialism; Indian Wells didn't want to be part of anybody else. They incorporated with a population of five hundred people. Apparently, Rancho Mirage felt strongly that they didn't want to be part of a great big city of Palm Desert-Rancho Mirage. So that in 1970, before I got here, because it had been going on for a number of years, they had a committee of Valley residents who worked up a sort of an arbitrary line saying that Rancho Mirage really started at Bob Hope Drive and went to almost to Date Palm, and that Palm Desert started at Bob Hope Drive and went to Cook Street. So that, while not a legal document or a legal definition, really became what everybody thought of as the limits of Palm Desert and Rancho Mirage. We did have considerable go-arounds because Rancho Mirage in December of 1973 applied to Rafco, the local agency formation committee, to have their boundary extend to

Cook Street on the east, and the Whitewater Channel on the south side of that. Two weeks after we were incorporated, I had to appear before Lafco and point out that we'd just gotten incorporated and really didn't have time to develop our own case, but I would do so in January and would have a general plan in January. At that time Rancho Mirage said they couldn't have a general plan ready by January. I couldn't have either, but I said we could. And the further hearings on it were postponed by Lafco until I think it was August, at which time we went in with a lot of property owners who wanted to be in Palm Desert. And again Rancho Mirage had no general plan. There was finally a hearing in December at which the Lafco established the boundary as Monterey rather than Cook or Portola on the east. We had hoped it would be Bob Hope Drive, but I guess we were outnumbered.

PY: In essence, what you're saying is that Rancho Mirage wanted to totally consume Palm Desert.

HC: Well, they wanted to consume, they wanted to surround us with property on the north so that we would have been confined to the Whitewater Channel on the north. And they also tried to obtain property directly to the south of the mobile home park up here on Highway 74. So they

would have had us surrounded, but we were able to successfully defend ourselves and be a little aggressive about it at the same time.

PY: Anything else you would like to bring up?

HC: I think from an historical point, in the ten years I've been hereI realize it covers only, probably covers a third of the time that Palm Desert has even been a twinkle in somebody's eye, but coming from back east where you talk hundreds of years to give a history of ten years, I think I've covered enough of it.

END OF INTERVIEW